

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FIRST DATA MERCHANT SERVICES LLC

Plaintiff,

19- cv-10964 (PKC)

-against-

ORDER

MM DEVELOPMENT COMPANY d/b/a
PLANET 13; SISTEM COMMERCE CITY LLC
d/b/a SILVER STEM FINE CANNABIS; KTZ
HOLDINGS, INC. d/b/a SILVER STEM; GTR
SOURCE, LLC; NEW YORK CITY MARSHAL
STEPHEN W. BIEGEL; ML FACTORS
FUNDING LIMITED LIABILITY COMPANY;
PELICAN COMMUNICATIONS, INC. d/b/a
THE PELICAN GROUP; LINX CARD, INC.;
and GIVV, INC.,

Defendants.
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**ORDER GRANTING FIRST DATA’S UNOPPOSED MOTION FOR DISCHARGE,
RELIEF FROM LIABILITY, PERMANENT INJUNCTION PURSUANT TO
STATUTORY INTERPLEADER ACTION**

First Data Merchant Services LLC (“First Data”) filed an Unopposed Motion for Discharge, Relief from Liability, Permanent Injunction Pursuant to Statutory Interpleader Action, and Award of Attorney’s Fees and Costs. The Court, having considered the Motion and the other pleadings and supporting evidence in this case, and finding that the relief requested is supported by the record and promotes the effectiveness of the interpleader action, GRANTS the Unopposed Motion for First Data’s Discharge, Relief from Liability, and Permanent Injunction pursuant to Statutory Interpleader Action. The request for an Award of Attorney’s Fees and

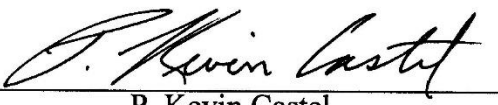
Costs is WITHDRAWN. Accordingly, First Data is hereby DISMISSED from the case WITH PREJUDICE. In addition, the Court GRANTS the permanent injunction.

IT IS HEREBY ORDERED:

Any and all individuals and/or entities who assert entitlement to any portion of the funds interpled in the Court's registry—including but not limited to Defendants MM Development Company d/b/a Planet 13, Pelican Communications, Inc. d/b/a The Pelican Group, and Linx Card, Inc.—are enjoined from initiating or prosecuting any and all claims, cross-claims, counterclaims, third-party claims, or any other claims against First Data Merchant Services LLC relating in any manner whatsoever to the funds deposited in the Court's registry or their related transactions, including but not limited to any of the claims pled in MM Development Company, Inc. d/b/a Planet 13 v. Linx Card et al., Case No. C19-02278 pending in the Superior Court of California, Contra Costa County or in any other case in any other forum in the United States.

SO ORDERED.

Dated: New York, New York
November 19, 2020


P. Kevin Castel
United States District Judge